

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBIT:

**JOINT MOTION TO DISMISS DEFENDANT  
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibit A and defendant American Medical Systems, Inc. ("AMS") advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in these actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue their actions against them.

Respectfully:

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*Attorney for Plaintiffs on Exhibit A*

Dated: September 26, 2017

**EXHIBIT A – AYLSTOCK WITKIN KREIS & OVERHOLTZ**

| <b>CIVIL ACTION NUMBER</b><br>(listed numerically in<br>ascending order) | <b>CASE NAME</b>  |
|--|---|
| 2:12-CV-00983  | Celestine Hopkins v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.     |
| 2:12-CV-01277  | Rebecca Duncan v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.        |
| 2:14-CV-08424  | Lori Ann Earl v. Ethicon, Inc., Johnson & Johnson, American Medical Systems               |
| 2:14-CV-08853  | Regina Eisenberg Price v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc |

**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.

/s/ Barbara R. Binis

Barbara R. Binis